



Docket No.: 65325(70904)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jiro Kiyama et al.

Application No.: 10/575,431

Confirmation No.: 2093

Filed: April 10, 2006

Art Unit: 2621

For: REPRODUCING APPARATUS, METHOD
FOR CONTROLLING REPRODUCING
APPARATUS, CONTENT RECORDING
MEDIUM, DATA STRUCTURE,
CONTROL PROGRAM, COMPUTER-
READABLE RECORDING MEDIUM
STORING CONTROL PROGRAM

Examiner: Harvey, David E.

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references/documents listed on the attached PTO/SB/08a/b. It is respectfully requested that these references/documents be expressly considered during the prosecution of this application, and that these references/documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

I **COPIES**

- a. X Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed. (Applications filed after June 30, 2003, no copies of cited US Patents are required and therefore, are not enclosed).

- b. ☐ This application relies under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. ☐, filed on ☐. The references listed on the attached Form PTO/SB08a/b were submitted to, and/or cited by, the Office in the prior application(s) and, therefore, are not required to be provided in this application.

II. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. ☒ Except as may be indicated below in (b), all of the patents, publications or other information submitted herewith are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).

- b. ☒ A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:

Item AA (US2003/0161615) (not provided); Item BA (EP-0961279-A1); Item BB (EP-0982725-A2); Item BC EP-1308956-A1); Item BD (WO-2004/019318-A2); Item BE (EP-1251514-A2); Item BF (JP-2000-353353-A); Item BG (EP-0751515-A2); Item BH (EP-0967799-A1); Item BI (EP-1293982-A1) and Item BJ (EP-1249835-A2) are cited and provided herewith. Each of these documents is in the English language.

The full English language machine translation attached hereto for Item BF (JP-2000-353353-A) was provided by the Industrial Property Digital Library (IPDL) of the Japanese Patent Office.

c. X The following additional information is provided for the Examiner's consideration:

Items AA and BA through BJ were cited in three European Search Reports as follows: 1) Items BG to BJ, in a European Search Report dated 31 March 2010 by the European Patent Office for corresponding European Patent Application No. 10000250.0; 2) Items AA and BA to BC, in a European Search Report dated 24 March 2010 by the European Patent Office for corresponding European Patent Application No. 10000249.2; and 3) Items AA and BB to BF, in a European Search Report dated 1 April 2010 by the European Patent Office for corresponding European Patent Application No. 10000251.8.

FEES

III. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)
(check one box)

- a. within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1). No fee or certification is required.
- b. within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2). No fee or certification is required.
- c. before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):

(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

a. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. §1.17(p).

OR

b. ☒ See the certification below. No fee is required.

V. STATEMENT UNDER 37 C.F.R. § 1.97(d)

The undersigned hereby states that

☐ This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Accordingly, Applicant(s) respectfully hereby petition(s) that this Information Disclosure Statement be considered.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e)(check only one box)

The undersigned hereby states that

a. ☒ each item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

b. _____ no item of information contained in the IDS was first cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

c. _____ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

_____ Please charge Deposit Account No. 04-1105 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

 X No fee is required.

 X Applicant believes that additional fees beyond those submitted herewith are not required in connection with the consideration of this submission. However, if for any reason a further fee is required, a fee paid is inadequate or a credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. 04-1105, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 65325(70904).

Dated: June 15, 2010

Respectfully submitted,

By David A. Tucker

David A. Tucker

Registration No.: 27,840

EDWARDS ANGELL PALMER & DODGE
LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 517-5508

Attorneys/Agents For Applicant